

Karen Karaviotis  
1 Cambridge Court West  
Old Saybrook, CT 06475

**STATE OF CONNECTICUT  
BOARD OF EXAMINERS FOR NURSING**

State of Connecticut  
Department of Public Health

vs.

Karen Karaviotis, RN  
Registered Nurse License No. R53219  
respondent.

CASE PETITION NO. 990428-010-032

MEMORANDUM OF DECISION

***Procedural Background***

The Board of Examiners for Nursing (hereinafter "the Board") was presented by the Department of Public Health (hereinafter "the Department") with a Statement of Charges and Motion for Summary Suspension dated May 6, 1999. Dept. Exh. 1. The Statement of Charges alleged violations of certain provisions of Chapter 378 of the General Statutes of Connecticut by Karen Karaviotis (hereinafter "respondent") which would subject respondent's Registered Nurse License to disciplinary action pursuant to the General Statutes of Connecticut.

Based on the allegations in the Statement of Charges and the accompanying affidavits and reports, the Board found that the continued practice of nursing by respondent presented a clear and immediate danger to public health and safety. On May 19, 1999, the Board ordered, pursuant to its authority under §4-182(c) and §19a-17(c) of the General Statutes of Connecticut, that the Registered Nurse License of respondent be summarily suspended pending a final determination by the Board of the allegations contained in the Statement of Charges. Dept. Exh. 1.

The Board issued a Notice of Hearing dated May 19, 1999, scheduling a hearing for June 2, 1999. Dept. Exh. 1.

Respondent was provided notice of the hearing and charges against her. Department Exhibit 1 indicates that the Summary Suspension Order, Notice of Hearing and Statement of Charges were served on respondent by a Deputy Sheriff on May 20, 1999.

The hearing took place on June 2, 1999, in the Town Council Chambers, Wethersfield Town Hall, 505 Silas Deane Highway, Wethersfield, Connecticut.

Respondent was present during the hearing but was not represented by counsel. Tr., June 2, 1999, p. 5.

Respondent orally answered the Statement of Charges. Tr., June 2, 1999, pp. 5-9.

Each member of the Board involved in this decision attests that he/she was present at the hearing or has reviewed the record, and that this decision is based entirely on the record, the law, and the Board's specialized professional knowledge in evaluating the evidence.

### *Findings of Fact*

Based on the testimony given and the exhibits offered into evidence, the Board makes the following Findings of Fact:

1. Respondent was issued Registered Nurse License Number R53219 on September 20, 1996. Respondent was the holder of said license at all times referenced in the Statement of Charges. Dept. Exh. 1-C; Tr., June 2, 1999, p. 6.
2. From on or about January 1998 to March 1999, respondent obtained the medication Soma (Carisoprodol) and the controlled substance Vicodin (hydrocodone) from different pharmacies as prescribed by different physicians. Respondent was taking the medications as a result of injuries she sustained. Dept. Exh. 1-B; Tr., June 2, 1999, pp. 41-43.
3. Physicians who wrote prescriptions for respondent were not aware respondent was obtaining prescriptions from different physicians. Tr., June 2, 1999, pp. 58-59.
4. During October 1998, respondent's use of the Soma and Vicodin increased. During this time period, respondent's estimated use of Soma was 20 tablets per day. The customary dosage for Soma is 4 tablets per day. Dept. Exh. 1-B-5.
5. From on or about January 6, 1999 through March 1999, respondent was employed as a registered nurse by Nursing Services, Inc., East Hartford, Connecticut. Respondent was assigned to work at New London Rehabilitation Care Center, Waterford, Connecticut. Dept. Exh. 1-A-4.

6. During February and March 1999, six bingo cards of controlled substances and corresponding Controlled Substance Disposition Records were discovered missing from the New London Rehabilitation Care Center. Dept. Exh. 1-A-4; 1-A-5.
7. On March 1, 1999, respondent signed out a dose of the controlled substance Lorazepam (Ativan) indicating that the dose had been administered to patient A.M. at 11:00 p.m. Patient A.M. denies receiving the medication. Dept. Exh. 1-A-5.
8. On March 2, 1999, respondent signed out doses of the controlled substance Hydrocodone/APAP (Vicodine) indicating the doses were administered to patient E.W. at 12:30 a.m. and 4:40 a.m. On March 3, 1999, respondent signed out doses of the controlled substance Hydrocodone/APAP indicating the doses were administered to patient E.W. at 12:30 a.m. and 4:20 a.m. Patient E.W. denies receiving these doses. Dept. Exh. 1-A-6.
9. On March 11, 1999, respondent signed out a dose of the controlled substance Lorazepam (Ativan) indicating that the dose had been administered to patient A.F. at 11:30 p.m. Patient A.F. denies receiving the medication. Dept. Exh. 1-A-6.
10. On March 11, 1999, respondent signed out a dose of the controlled substance Oxycodone/APAP (Percocet) indicating that the dose had been administered to patient J.F. at 11:00 p.m. On March 12, 1999, respondent signed out a dose of the controlled substance Oxycodone/APAP indicating that the dose had been administered to patient J.F. at 6:00 a.m. Patient J.F. denies receiving these dose. A subsequent analysis of patient J.F.'s urine was negative for the presence of opiates. Dept. Exh. 1-A-6; 1-A-7.
11. On March 11, 1999, respondent signed out a dose of the controlled substance Oxycodone/APAP (Percocet) indicating that the dose had been administered to patient E.D. at 11:00 p.m. Patient E.D. denies receiving this medication. A subsequent analysis of patient E.D.'s urine was negative for the presence of opiates. Dept. Exh. 1-A-7.
12. On March 12, 1999, respondent signed out a dose of the controlled substance Oxycodone/APAP (Percocet) indicating that the dose had been administered to patient W.S. at 1:30 a.m. Patient W.S. denies receiving the medication. Dept. Exh. 1-A-6.

### ***Conclusions of Law and Discussion***

In consideration of the above Findings of Fact, the following conclusions are rendered:

Karen Karaviotis held a valid Registered Nurse License in the State of Connecticut at all times referenced in the Statement of Charges.

The Notice of Hearing and Statement of Charges provided sufficient legal notice as mandated by the General Statutes of Connecticut §4-177(a) and (b), and §4-182(c). The hearing was held in accordance

with Chapters 54 and 368a of the General Statutes of Connecticut as well as §19a-9-1 through §19a-9-29 of the Regulations of Connecticut State Agencies.

The Notice of Hearing, Statement of Charges and the hearing process provided respondent with the opportunity to demonstrate compliance with all lawful requirements for the retention of her license as required by the General Statutes of Connecticut §4-182(c).

The Department bears the burden of proof by a preponderance of the evidence in this matter.

COUNT ONE PARAGRAPH 2 of the Statement of Charges alleges that from January 1998 through March 1999, respondent obtained Soma and Vicodine prescriptions at different pharmacies through different doctors.

Respondent denies this charge. Tr., June 2, 1999, pp. 6-7.

The General Statutes of Connecticut §20-99 provides in relevant part:

(a) The Board of Examiners for Nursing shall have jurisdiction to hear all charges of conduct which fails to conform to the accepted standards of the nursing profession brought against persons licensed to practice nursing. After holding a hearing... said board, if it finds such person to be guilty, may revoke or suspend his or her license or take any of the actions set forth in section 19a-17 . . . (b) Conduct which fails to conform to the accepted standards of the nursing profession includes, but is not limited to, the following . . . (5) abuse or excessive use of drugs, including alcohol, narcotics or chemicals . . . .

The Board finds that respondent's conduct as alleged in Count One Paragraph 2 of the Statement of Charges is proven by a preponderance of the evidence presented. The Board further finds that respondent obtained the medications Soma and Vicodin by doctor shopping and that respondent excessively used the medications she obtained.

The Board concludes that respondent's conduct as alleged in Count One Paragraph 2 of the Statement of Charges fails to conform to the accepted standards of the nursing profession and constitutes a violation of the General Statutes of Connecticut §20-99(b)(5). Therefore, respondent's Registered Nurse License is subject to disciplinary action pursuant to §19a-17 of the General Statutes of Connecticut.

COUNT TWO PARAGRAPH 6 of the Statement of Charges alleges that from January 1999 through March 1999, while working as a registered nurse at New London Rehabilitation and Care Center, Waterford, Connecticut, respondent:

- a. diverted Ativan, Percocet and Vicodin;
- b. failed to completely, properly and/or accurately document medical or hospital records; and/or
- c. falsified one or more Controlled Substance Receipt Records.

Respondent admits Paragraph 6b but denies 6a and 6c. Tr., June 2, 1999, p. 8.

The General Statutes of Connecticut §20-99 provides in relevant part:

(a) The Board of Examiners for Nursing shall have jurisdiction to hear all charges of conduct which fails to conform to the accepted standards of the nursing profession brought against persons licensed to practice nursing. After holding a hearing . . . said board, if it finds such person to be guilty, may revoke or suspend his or her license or take any of the actions set forth in section 19a-17 . . . (b) Conduct which fails to conform to the accepted standards of the nursing profession includes, but is not limited to, the following: . . . (2) illegal conduct, incompetence or negligence in performing usual nursing functions . . . (6) fraud or material deception in the course of professional services or activities. . . .

The Board finds there exists ample evidence that respondent diverted the controlled substances Ativan, Percocet and Vicodin while working at New London Rehabilitation and Care Center. In addition, the Board finds that respondent failed to completely, properly and/or accurately document medical or hospital records and that falsified one or more Controlled Substance Receipt Records.

Based on its findings, the Board concludes that respondent's conduct as alleged in the Count Two Paragraphs 6a, 6b and 6c of the Statement of Charges is proven by a preponderance of the evidence presented. The Board further concludes that said conduct constitutes violations of the General Statutes of Connecticut §20-99(b)(2) and (6). Therefore, respondent's Registered Nurse License is subject to disciplinary action pursuant to §19a-17 of the General Statutes of Connecticut.

The Board concludes that there was insufficient evidence to find that respondent's conduct violated paragraph 7c of the Statement of Charges which alleges violations of §20-99(b)(7).

***Order***

Pursuant to its authority under §19a-17 and §20-99 of the General Statutes of Connecticut, the Board of Examiners for Nursing hereby orders the following:

That for Count One and Count Two of the Statement of Charges, respondent's Registered Nurse License, No. R53219, is revoked effective the date this Memorandum of Decision is signed by the Board of Examiners for Nursing.

The Board of Examiners for Nursing hereby informs respondent, Karen Karaviotis, and the Department of Public Health of the State of Connecticut of this decision.

Dated at Hartford, Connecticut this 18th day of August, 1999.

BOARD OF EXAMINERS FOR NURSING

By 